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PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/762,760	
	Filing Date	Jan 22, 2004	
	First Named Inventor	Kassai, Kenzou	
	Art Unit	3636	
	Examiner Name	Brown, P.	
Total Number of Pages in This Submission	3	Attorney Docket Number	01031-1003

ENCLOSURES (Check all that apply)		
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<b>Remarks</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
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Signature			
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Date	May 18, 2006	Reg. No.	44658

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Kenzou KASSAI et al.

Application No.: 10/762,760

Examiner: Brown, P.

Filed: January 22, 2004

Group Art Unit: 3636

Attorney Docket No.: 01031-1003

Client Docket No.: FP030011US

For: SEAT BELT GUIDING AUXILIARY DEVICE AND JUVENILE CAR SEAT

Commissioner for Patents  
Alexandria, VA 22313-1450**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

In response to the restriction requirement of April 18, 2006, Applicants provisionally elect, with traverse, the species of Figures 1-6, encompassing claims 1-16.

The Office Action, on page 2, provides only a conclusory statement for imposing the restriction, stating "The species are independent or distinct because they each disclose embodiments that are patentably distinct and would require additional search." However, MPEP §803.01 clearly states "Examiners must provide reasons and/or examples to support conclusions ... to support the restriction requirement...." No reasoning has been put forth in this instance. The Examiner merely asserts the species are "independent or distinct." MPEP §802.01 states "The term 'independent' (i.e., not dependent) means that there is no disclosed relationship between the two or more subjects disclosed, that is, they are unconnected in design, operation, or effect...." "Distinct" (MPEP §802.01) means that the "two or more subjects as disclosed are related...but are capable of separate manufacture, use or sale as claimed, AND ARE PATENTABLE (novel and unobvious) OVER EACH OTHER." A study of Figures 1-6 and

Figure 7 reveals that the species are neither independent nor distinct, as Figures 1-6 show a configuration for an adult person and Figure 7 is an embodiment for a juvenile.

Further, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

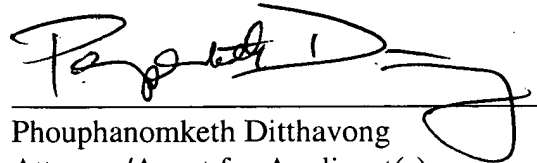
The claims of the present application would appear to be part of an overlapping search area, thus would not constitute a "serious burden."

Accordingly, Applicants respectfully traverse the restriction requirement, and request that each of the pending claims be examined on the merits in the present application.

Respectfully Submitted,

DITTHAVONG & MORI, P.C.

5/18/06  
Date

  
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